

App. No.: 10/009554
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REMARKS

Before arguing the patentability of the claims, applicant's attorney would like to express his appreciation to the Examiner for not making the rejection final. Too often Examiners make second actions final regardless of the circumstances, resulting in incomplete prosecution.

This having been said, Claim 1, the only independent claim presented has been amended to stress an important feature that is believed to be patentable. First it is admitted that numerous planetary transmissions employ the expedient of breaking or releasing one of their elements for effecting ratio changes. It is believed that the important feature is that in applicants construction that is intended for a low cost wheel chair, there is only one planetary gear set in each wheel drive and this one set employs the selective braking or release to switch between solely manual operation and assisted operation. This feature is emphasized in amended claim 1.

In the two references applied, there is a planetary transmission and its output is selectively coupled or uncoupled from the driven wheel by yet another clutching or brake mechanism. In the basic reference to Alber, the clutching mechanism amounts to a dog type clutch. The Examiner proposes to replace this by Telford's mechanism that requires three planetary transmissions one of which serves no real driving purpose but acts solely as a brake of a clutch and really by itself performs no driving function.

Thus it is submitted that, even if the two references were combined based upon their actual teaching and not applicants, the amended claim language would not be met. Favorable reconsideration is therefore requested.

Respectfully submitted,
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